

§ 797. Enforcement**(a) Violations**

It shall be unlawful for any person to violate any provision of section 792 of this title (relating to coal conversion and allocation) or section 796 of this title (relating to energy information) or to violate any rule, regulation, or order issued pursuant to any such provision.

(b) Penalties; injunctions; declaratory judgments

(1) Whoever violates any provision of subsection (a) of this section shall be subject to a civil penalty of not more than \$2,500 for each violation.

(2) Whoever willfully violates any provision of subsection (a) of this section shall be fined not more than \$5,000 for each violation.

(3) It shall be unlawful for any person to offer for sale or distribute in commerce any coal in violation of an order or regulation issued pursuant to section 792(d) of this title. Any person who knowingly and willfully violates this paragraph after having been subjected to a civil penalty for a prior violation of the same provision of any order or regulation issued pursuant to section 792(d) of this title shall be fined not more than \$50,000, or imprisoned not more than six months, or both.

(4) Whenever it appears to the Federal Energy Administrator or any person authorized by the Federal Energy Administrator to exercise authority under section 792 of this title or section 796 of this title that any individual or organization has engaged, is engaged, or is about to engage in acts or practices constituting a violation of subsection (a) of this section the Federal Energy Administrator or such person may request the Attorney General to bring a civil action to enjoin such acts or practices, and upon a proper showing, a temporary restraining order or a preliminary or permanent injunction shall be granted without bond. In such action, the court may also issue mandatory injunctions commanding any person to comply with any provision, the violation of which is prohibited by subsection (a) of this section.

(5) Any person suffering legal wrong because of any act or practice arising out of any violation of subsection (a) of this section may bring a civil action for appropriate relief, including an action for a declaratory judgment or writ of injunction. United States district courts shall have jurisdiction of actions under this paragraph without regard to the amount in controversy. Nothing in this paragraph shall authorize any person to recover damages.

(Pub. L. 93-319, § 12, June 22, 1974, 88 Stat. 264.)

TRANSFER OF FUNCTIONS

Federal Energy Administration terminated and functions vested by law in Administrator thereof transferred to Secretary of Energy (unless otherwise specifically provided) by sections 7151(a) and 7293 of Title 42, The Public Health and Welfare.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 790 of this title; title 16 section 2643.

§ 798. Definitions

(a) For purposes of this chapter and the Clean Air Act [42 U.S.C. 7401 et seq.] the term “Federal

Energy Administrator” means the Administrator of the Federal Energy Administration established by Federal Energy Administration Act of 1974 [15 U.S.C. 761 et seq.]; except that until such Administrator takes office and after such Administration ceases to exist, such term means any officer of the United States designated as Federal Energy Administrator by the President for purposes of this chapter and section 119¹ of the Clean Air Act [42 U.S.C. 1857c-10].

(b) For purposes of this chapter, the term “petroleum product” means crude oil, residual fuel oil, or any refined petroleum product (as defined in section 752(5)¹ of this title).

(Pub. L. 93-319, § 14, June 22, 1974, 88 Stat. 265.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (b), was in the original “this Act”, meaning Pub. L. 93-319. For complete classification of this Act to the Code, see Short Title note set out under section 791 of this title and Tables.

The Clean Air Act, referred to in subsec. (a), is act July 14, 1955, ch. 360, 69 Stat. 322, as amended, which is classified generally to chapter 85 (§7401 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 7401 of Title 42 and Tables.

Section 119 of the Clean Air Act [42 U.S.C. 1857c-10], referred to in subsec. (a), was repealed by Pub. L. 95-95, §112(b)(1), Aug. 7, 1977, 91 Stat. 709, which is set out as a Compliance Orders note under section 792 of this title. A new section 119 of the Clean Air Act was added by Pub. L. 95-95, §117(b), and is classified to section 7419 of Title 42.

The Federal Energy Administration Act of 1974, referred to in subsec. (a), is Pub. L. 93-275, May 7, 1974, 88 Stat. 96, as amended, which is classified generally to chapter 16B (§761 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 761 of this title and Tables.

Section 752 of this title, referred to in subsec. (b), was omitted from the Code pursuant to section 760g of this title, which provided for the expiration of the President's authority under that section on Sept. 30, 1981.

TRANSFER OF FUNCTIONS

Federal Energy Administration terminated and functions vested by law in Administrator thereof transferred to Secretary of Energy (unless otherwise specifically provided) by sections 7151(a) and 7293 of Title 42, The Public Health and Welfare.

CHAPTER 17—PRODUCTION, MARKETING, AND USE OF BITUMINOUS COAL**SUBCHAPTER A—BITUMINOUS COAL CONSERVATION ACT OF 1935**

§§ 801 to 827. Repealed. Apr. 26, 1937, ch. 127, § 20(a), 50 Stat. 90

Sections, act Aug. 30, 1935, ch. 824, §§1-23, 49 Stat. 991, comprised the Bituminous Coal Conservation Act of 1935.

SUBCHAPTER B—BITUMINOUS COAL ACT OF 1937

§§ 828 to 852. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 649, 651

Sections, act Apr. 26, 1937, ch. 127, §§1-22, 50 Stat. 75-91, related to the regulation of interstate commerce of bituminous coal.

¹ See References in Text note below.

Section 849 of this title was amended by acts Apr. 11, 1941, ch. 64, §1(a), 55 Stat. 134; Apr. 24, 1943, ch. 68, 57 Stat. 68; May 21, 1943, ch. 97, 57 Stat. 82.

Section 852 of this title was added by act Apr. 11, 1941, ch. 64, §2, 55 Stat. 134.

CHAPTER 18—TRANSPORTATION OF FIREARMS

§§ 901 to 910. Repealed. Pub. L. 90-351, title IV, § 906, June 19, 1968, 82 Stat. 234

Section 901, acts June 30, 1938, ch. 850, §1, 52 Stat. 1250; Aug. 6, 1939, ch. 500, 53 Stat. 1222; Mar. 10, 1947, ch. 15, 61 Stat. 11; Oct. 3, 1961, Pub. L. 87-342, §1, 75 Stat. 757, defined in pars. (1) to (7) the terms “person”, “interstate or foreign commerce”, “firearm”, “manufacturer”, “dealer”, “fugitive from justice”, and “ammunition”. See section 921(a)(1) to (3), (9), (10), (11), (14), and (16) of Title 18, Crimes and Criminal Procedure, respectively.

Section 902, acts June 30, 1938, ch. 850, §2, 52 Stat. 1250; Oct. 3, 1961, Pub. L. 87-342, §2, 75 Stat. 757, prohibited certain enumerated acts, including transporting, shipping, or receiving firearms or ammunition in commerce, subsecs. (a), (d) to (i) of which are covered in section 922(a)(1), (c), (e) to (i) of Title 18, Crimes and Criminal Procedure, respectively, such subsecs. (d) to (i) also being covered generally in section 922(d) and such subsec. (i) in section 923(f), the presumption from possession rule of subsecs. (f) and (i) being omitted, and subsecs. (b) and (c) of which prohibited receipt with knowledge that transportation or shipment was in violation of former subsec. (a) or that the transportation or shipment was to a person without a license where State laws require prospective purchaser to exhibit a license to licensed manufacturer or dealer, respectively.

Section 903, act June 30, 1938, ch. 850, §3, 52 Stat. 1251, provided for licenses to transport, ship, or receive firearms or ammunition. For subsecs. (a), (b), and (d), see sections 923(a), (b), 922(b)(5), (k), 923(d), (f) of Title 18, respectively.

Section 904, act June 30, 1938, ch. 850, §4, 52 Stat. 1252, excepted certain persons from the provisions of the chapter. See section 925(a) of Title 18.

Section 905, acts June 30, 1938, ch. 850, §5, 52 Stat. 1252; Feb. 7, 1950, ch. 2, 64 Stat. 3, prescribed penalties for violations. See section 924(a) and (c) of Title 18.

Section 906, act June 30, 1938, ch. 850, §6, 52 Stat. 1252, provided for effective date of chapter 18. Similar provisions are set out as a note under section 921 of Title 18.

Section 907, act June 30, 1938, ch. 850, §7, 52 Stat. 1252, authorized rules and regulations. See section 926 of Title 18.

Section 908, act June 30, 1938, ch. 850, §8, 52 Stat. 1252, contained separability clause. See section 928 of Title 18.

Section 909, act June 30, 1938, ch. 850, §9, 52 Stat. 1252, provided for the Federal Firearms Act as the short title for chapter 18.

Section 910, act June 30, 1938, ch. 850, §10, as added Sept. 15, 1965, Pub. L. 89-184, 79 Stat. 788, provided for relief from disabilities resulting from conviction, application of provisions, public interest, and publication in Federal Register. See section 925(c) of Title 18.

EFFECTIVE DATE OF REPEAL

Repeal effective 180 days after June 19, 1968, except that valid license issued thereunder shall not terminate until expiration according to terms of license unless sooner revoked or terminated pursuant to applicable law, see section 907 of Pub. L. 90-351, set out as a note under section 921 of Title 18, Crimes and Criminal Procedure.

CHAPTER 19—MISCELLANEOUS

Sec.
1001. Prize-fight films as subjects of interstate or foreign commerce.

Sec.
1002. Golden Gate Bridge tolls; Government traffic and personnel in performance of office business not subject to tolls.
1003. Authorization for free travel on Golden Gate Bridge; issuance, presentation, and acceptance; other authorization devices.
1004. Penalties.
1005. San Francisco-Oakland Bay Bridge tolls; Government traffic and personnel on official business exempted; Government personnel on Yerba Buena Island or Treasure Island exempted.
1006. Authorization for free travel on San Francisco-Oakland Bay Bridge; issuance, presentation, and acceptance; other authorization devices.
1007. Penalties.

§ 1001. Prize-fight films as subjects of interstate or foreign commerce

Every film or other pictorial representation of any prize fight or encounter of pugilists, under whatever name, transported into any State, Territory, or possession, for use, sale, storage, exhibition, or other disposition therein is divested of its character as a subject of interstate or foreign commerce to the extent that it shall upon crossing the boundary of such State, Territory, or possession, be subject to the operation and effect of the laws of such State, Territory, or possession enacted in the exercise of its police power.

(June 29, 1940, ch. 443, §1, 54 Stat. 686.)

§ 1002. Golden Gate Bridge tolls; Government traffic and personnel in performance of office business not subject to tolls

Tolls may be charged for the passage or transit over the Golden Gate Bridge of Government traffic, of military or naval personnel and their dependents, and of civilian employees of the Army and Navy traveling on Government business, but such tolls shall not be in excess of the tolls charged for the passage or transit of other like traffic over such bridge: *Provided, however*, That subject to the provisions of section 1003 of this title, military and naval personnel, and civilian employees of the Army and Navy, when such personnel or employees are engaged in the performance of official duties requiring the use of such bridge, together with the conveyances being used by them in the performance of such duties, shall have the use of such bridge free of toll.

(Mar. 14, 1944, ch. 92, §1, 58 Stat. 116.)

EFFECTIVE DATE

Section 4 of act Mar. 14, 1944, provided: “The provisions of this Act [sections 1002 to 1004 of this title] shall take effect thirty days after the date of its enactment.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1003, 1004 of this title.

§ 1003. Authorization for free travel on Golden Gate Bridge; issuance, presentation, and acceptance; other authorization devices

(a) The use of the Golden Gate Bridge free of toll, provided for in section 1002 of this title,

shall be granted upon the presentation and surrender at the toll lanes of an authorization certifying that the traffic in question is entitled to such right. Such authorization shall be issued and signed by any military or naval officer designated for such purpose in accordance with regulations which shall be prescribed by the Secretary of the Army and the Secretary of the Navy, respectively. The names and signatures of officers so designated shall be furnished to the Golden Gate Bridge and Highway District, and thereafter authorizations signed by them shall be accepted by such bridge and highway district as prima facie evidence of the facts stated therein.

(b) Notwithstanding the provisions of subsection (a) of this section, such right to use the Golden Gate Bridge free of toll may be established by any other device or means which may be acceptable to the Golden Gate Bridge and Highway District; and the Secretary of the Army and the Golden Gate Bridge and Highway District, and the Secretary of the Navy and the Golden Gate Bridge and Highway District, may enter into any appropriate agreements to secure the effective, convenient, and just exercise of such right.

(Mar. 14, 1944, ch. 92, § 2, 58 Stat. 116.)

CODIFICATION

The Department of War was designated the Department of the Army and the title of the Secretary of War was changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3011 to 3013 continued the military Department of the Army under the administrative supervision of a Secretary of the Army.

SECRETARY OF THE AIR FORCE

For transfer of certain functions relating to finance and fiscal matters, insofar as they pertain to Secretary of the Air Force, from Secretary of the Army to Secretary of the Air Force, see Secretary of Defense Transfer Order Nos. 25, Oct. 14, 1948, and 40 [App. B(61)], July 22, 1949.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1002, 1004 of this title.

§ 1004. Penalties

Whoever secures or attempts to secure the exemption from toll provided for in sections 1002 to 1004 of this title or an authorization referred to in section 1003 of this title, knowing that he is not entitled thereto, and whoever signs or issues any such authorization certifying to such right of exemption, knowing that such right does not exist, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than \$100 or by imprisonment for not more than ten days, or by both such fine and imprisonment.

(Mar. 14, 1944, ch. 92, § 3, 58 Stat. 116.)

§ 1005. San Francisco-Oakland Bay Bridge tolls; Government traffic and personnel on official business exempted; Government personnel on Yerba Buena Island or Treasure Island exempted

Tolls may be charged for the passage or transit over the San Francisco-Oakland Bay Bridge of Government traffic, or military, naval, or civilian personnel and their dependents, and of civilian employees of the Army and Navy traveling on Government business, but such tolls shall not be in excess of the tolls charged for the passage or transit of other like traffic over such bridge: *Provided, however*, That subject to the provisions of section 1006 of this title, military, Coast Guard, and naval personnel, and civilian employees of the Army and Navy and Coast Guard and personnel and employees of the National Ocean Survey, when such personnel or employees are engaged in the performance of official duties requiring the use of such bridge, together with the conveyances being used by them in the performance of such duties, shall have the use of such bridge free of toll: *Provided further*, That subject to the provisions of section 1006 of this title, military, Coast Guard, and naval personnel, civilian employees of the Army and Navy and Coast Guard and personnel and employees of the National Ocean Survey, and their dependents, when such personnel, employees, or dependents are resident or employed on Yerba Buena Island or Treasure Island, or on any vessel berthed at any point on said islands, together with the conveyances being used by them, when proceeding to or from said islands, shall have the use of such bridge free of toll.

(July 1, 1946, ch. 528, § 1, 60 Stat. 347.)

EFFECTIVE DATE

Section 4 of act July 1, 1946, provided that sections 1005 to 1007 of this title shall be effective thirty days after July 1, 1946.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

Coast and Geodetic Survey consolidated with Weather Bureau of Department of Commerce to form new agency in Department of Commerce known as Environmental Science Services Administration and offices of Director and Deputy Director of Coast and Geodetic Survey abolished by Reorg. Plan No. 2 of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318, set out in the Appendix to Title 5, Government Organization and Employees. All functions of Survey, Director of Survey, and officers, employees, and organizational entities of Survey transferred to Secretary of Commerce and all personnel (including commissioned officers) and property of Survey, not already transferred by 1950 Reorg. Plan No. 5, deemed transferred to Administration. Subsequently, Environmental Science Services Administration abolished by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, set out in the Appendix to title 5, which created National Oceanic and Atmospheric Administration in Department of Commerce. By order of Acting Associate Administrator of NOAA, organization name of Coast and Geodetic Survey changed to National Ocean Survey.